

Atlantic States Marine Fisheries Commission

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MEMORANDUM

November 26, 2003

TO: Atlantic Striped Bass Management Board

FROM: Dr. James Gilford, Chair, Atlantic Striped Bass Advisory Panel

RE: AP Input on State Proposals for the 2004 Striped Bass Management Programs

In response to the New York and Delaware proposals to change to their striped bass recreational measures, the Advisory Panel was asked to submit written comments to advise the Management Board on each proposal. This memo is a summary of both state proposals with the Technical Committee's recommendation and the Advisory Panel's comments. The AP recommendations are based on the individual comments received and do not constitute a consensus of the AP.

Options for New York's Hudson River Recreational Fishery

1. Status Quo modified to comply with Am6 - 1 fish creel @ 28 inch size limit.*
2. Amendment 6 minimum - 2 fish creel @ 28 inch size limit**.
3. 18", 24", or 26" option - 1 fish creel @ 18, 24 or 26 inch size limit*.
4. Spawning Closure - 1 fish creel @ 18, 24, 26, or 28 inch size limit, plus season closure after May 15.

* One fish creel limit may include prohibition on fishing after first fish reduced to possession.

** This option may be modified to limit the possession of fish greater than 40 inches to one, as is in effect in recreational fisheries in the States of New Hampshire or Delaware.

- *The **Technical Committee** recommends the approval of NY's proposal for the Hudson River recreational fishery. The Technical Committee recommends a partial spawning season closure for the Hudson River.*
- *Except for one respondent, the **Advisory Panel** generally supports New York's proposal for the Hudson River recreational fishery, particularly the Technical Committee's recommendation for the seasonal closure during spawning. Preference for a particular option varies with each member.*

Proposal for Delaware's Recreational Fishery

One fish between 24"-28" and a 2nd fish greater than 28" with a 33% reduction in harvest.

- *The **Technical Committee** recommends the approval of Delaware's proposal for the recreational fishery.*
- *The **Advisory Panel** did not have clear consensus on Delaware's proposal for the recreational fishery. Two of the four respondents supported the proposal, one was neutral and the final respondent was opposed to the proposal, preferring status quo or the Amendment 6 requirements.*

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- ***AP responses to the New York Proposal***

- Supports the Technical Committee's recommendation for the New York Hudson River recreational fishery.
- Supports the options being considered by New York including the Technical Committee's recommendation for a partial spawning season closure in the Hudson River Striped Bass fishery
- New York' Hudson should be protected by option #4 with a spawning closure.
- There are no longer any reasons, of health, biology, or conservation, to continue the total ban on commercial striped bass fishing in the Hudson River. In fact, an extensive review in 1999-2000 by an advisory panel appointed by Governor Pataki concluded that a commercial fishery for striped bass should be reopened in the Hudson River. Therefore, until such commercial fishery is opened, the recreational fishery should be closed or the State (and ASMFC) will be guilty of reallocating a traditional fishery with no scientific basis for such reallocation. When both fisheries are reopened, the recreational fishery should be given one fish a day at 18" with a closed season from May 15 to September 15. The commercial gillnet fishery for shad should be given a bycatch of 40,000 pounds of striped bass a year, not all of which should be deducted from the State's commercial allocation since it is a harvest of indigenous stock which makes up only a part of the coastal migratory stock.
- Maintain the present closed season of 12/1 – 3/15, prohibit the use of treble hooks while engaged in bait fishing, implement an aggressive/informative education program on the use of circle hooks with the goal of implementing their use while bait fishing at some future date, and implement a 1 fish creel @ 28" size limit with NO prohibition on fishing after first fish reduced to possession.

- ***AP responses to the Delaware Proposal***

- Disagrees with Delaware's proposal for the recreational fishery. Does not support the closed season as described in the proposal. Rather, prefers the current recreational regulations (1 fish from 24" to 28" plus one fish above 28") or the requirements of Amendment 6 (2 fish creel limit with a 28" minimum size).
- Supports the Delaware Proposal.
- Delaware's proposal for the recreational fishery appears to be supported by sound data.
- No comment on the Delaware proposal.
- Concerned about the use of "slot" limits, but the Technical Committee's approval of "1 fish 24"-28" and a second fish greater than 41" with a seasonal reduction seems acceptable for Delaware waters.